

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:07CR230-TFM</b>
	)	
<b>CHARLES E. SANDERS</b>	)	

**THIRD UNOPPOSED MOTION TO CONTINUE TRIAL**

**COMES NOW** the Defendant, **CHARLES E. SANDERS**, through Undersigned Counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the May 5, 2008, Trial Term. In support of this motion, the Defendant would show the following:

1. On March 5, 2008, Major Sloan Pye of the Maxwell Air Force Base Staff Judge Advocate's Office informed Mr. Sanders that, should he wish to request pretrial diversion in this case, the Staff Judge Advocate's Office would recommend approval of that request. Pursuant to that suggestion, Mr. Sanders informed Staff Judge Advocate's Office that he would accept the offer of pretrial diversion.

2. Due to a misunderstanding between the parties, Mr. Sanders believed that his oral acceptance of the Government's offer was sufficient to begin to the review process for possible pretrial diversion. However, the Staff Judge Advocate's Office was waiting for a written request from Mr. Sanders. The parties only recently realized that each was waiting for action by the other party.

3. Mr. Sanders has now submitted a written request for pretrial diversion.

However, consideration of this request will not be completed prior to the scheduled trial date of May 5th. Therefore, Mr. Sanders contends that a continuance in this case would serve the ends of justice.

4. For the foregoing reasons, Special Assistant United States Attorney Reese Hays concurs with Mr. Sander's Motion to Continue.

**WHEREFORE**, Defendant respectfully requests that this Motion to Continue be granted.

Dated this 29th day of April, 2008.

Respectfully submitted,

s/ Donnie W. Bethel  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 29, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson  
Assistant U. S. Attorney

Reese Hays  
Special Assistant U. S. Attorney

Respectfully submitted,

s/ Donnie W. Bethel  
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